

**LYDECKER | DIAZ**

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November 11, 2020

**Via E-Mail** – [VyskocilNYSDChambers@nysd.uscourts.gov](mailto:VyskocilNYSDChambers@nysd.uscourts.gov)

Hon. Mary Kay Vyskocil, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2230  
New York, New York 10007

Re: Leramont LLC v. Gary Tatintsian Gallery, Inc., et al.  
Civil Action No. 1:20-cv-2435 (MKV)  
LD File No.: 50335

Dear Judge Vyskocil:

This office represents the Plaintiff in the above-referenced matter.

As Your Honor is aware, pursuant to the Scheduling Order entered on October 22, 2020 (ECF No. 19). Plaintiff was required to file an Amended Complaint by October 29, 2020. Plaintiff filed an Amended Complaint on October 29, 2020 (ECF No. 20). However, thereafter the undersigned realized that due to an oversight the wrong file had been filed. Upon consulting with the civil case openings department, the undersigned was advised to file the proper document as a Second Amended Complaint, as the original filing had already been accepted. Per said instructions, my office filed the proper document as a Second Amended Complaint on November 2, 2020 (ECF No. 21). Thereafter, the Court issued a further deficiency notice advising that the Plaintiff was also required to file the order granting leave to file said pleading as an exhibit. Based upon said deficiency notice, the undersigned re-filed the Second Amended Complaint along with the aforementioned Scheduling Order on November 5, 2020 (ECF Nos. 23 and 24.) Thereafter, the Court issued another deficiency notice advising that the pleading was deficient as the Court had not granted leave for Plaintiff to file a second amended complaint.

Based upon further communications with the case openings department and Your Honor's chambers, the purpose of this letter is to request that Your Honor "So Order" this letter or enter a text order permitting the Court to accept the Second Amended Complaint (ECF No. 23) for filing as the operative amended pleading, along with Defendants' Answer to same (ECF No. 25).

Please do not hesitate to contact the undersigned should Your Honor require further information and/or submissions. Thank you for your consideration of the within request.

Respectfully submitted,

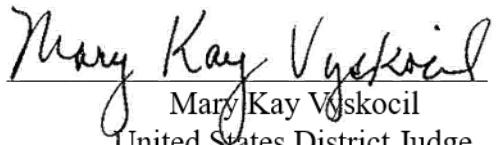
*/s/ Michael I. Goldman*

Michael I. Goldman

cc: All Counsel of Record (via ECF)

GRANTED. The Second Amended Complaint, docket entry 23, is the operative pleading. All other deadlines in the October 22, 2020 Order remain in place. Failure to comply with court orders may result in sanctions.

Date: Nov. 12, 2020  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge